

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

BROWN & BROWN, LLP,  
Plaintiff,

and

BARTON CRAIG, LEFKOWITZ GARFINKEL,  
CHAMPI & DERIENZO, P.C.,  
Defendant.

C. A. No. 05-11016-NMG

## JOINT SCHEDULING CONFERENCE STATEMENT

Pursuant to the Court's June 7, 2005 Notice of Scheduling Conference and Local Rule 16.1, the parties hereby submit this Joint Scheduling Conference Statement.

### PROPOSED DISCOVERY PLAN

The parties jointly propose the following discovery plan:

1. Initial disclosures pursuant to Rule 26(b) of the Federal Rules of Civil Procedure to be exchanged by August 5, 2005.
2. Document requests and interrogatories, if any, and responses thereto, to be served on or before September 30, 2005.
3. Depositions to be completed by November 30, 2005.
4. Requests for admission, if any, and responses thereto, to be served on or before December 31, 2005.

### PROPOSED SCHEDULE FOR FILING OF MOTIONS

1. Motions to dismiss and motions to amend to be filed on or before September 30, 2005.

2. Motions for summary judgment to be served and filed on or before  
February 28, 2006.

PROPOSED PERIOD FOR MEDIATION

The parties plan to pursue mediation in or about December, 2005.

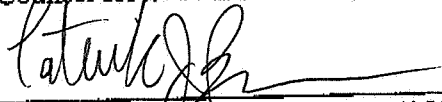
TRIAL BY MAGISTRATE JUDGE

The parties do not, at this time, consent to a trial by a Magistrate Judge.

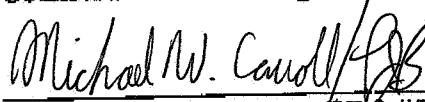
CERTIFICATION

Counsel and an authorized representative of each party, hereby affirm that each party and that each party's counsel have conferred: (a) with a view to establishing a budget for the costs of conducting the full course -- and various alternative courses -- of the litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs, such as those outlined in Local Rule 16.4.

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Brown & Brown, LLP

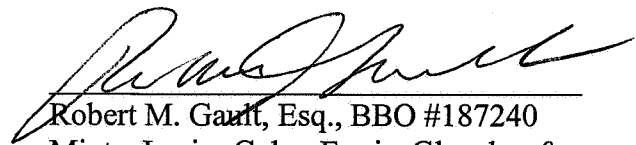
  
By: \_\_\_\_\_

Name: MICHAEL L. BROWN

Title: PARTNER

\_\_\_\_\_  
Barton Craig

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& Derienzo, P.C.

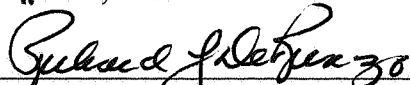
By: \_\_\_\_\_  
Name:  
Title:

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& Derienzo, P.C.

By:   
Name: Richard S. DeRienzo  
Title: Principal